

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x

UNITED STATES OF AMERICA :

- v. - :

JENNY PEREZ, :

Defendant. :

- - - - - x

INDICTMENT

07 Cr.

07 CRIM. 902

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 9/25/07

COUNT ONE

(Conspiracy To Commit Bank Fraud)

The Grand Jury charges:

1. From in or about April 2005, up to and including in or about May 2005, in the Southern District of New York and elsewhere, JENNY PEREZ, the defendant, and others known and unknown, unlawfully, willfully, and knowingly, did combine, conspire, confederate, and agree together and with each other to violate Title 18, United States Code, Section 1344.

2. It was a part and an object of the conspiracy that JENNY PEREZ, the defendant, unlawfully, willfully, and knowingly would and did execute and attempt to execute a scheme and artifice to defraud a financial institution, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and to obtain monies, funds, credits, assets, securities, and property owned by, and under the custody and control of, such financial institution, by means of false and fraudulent pretenses, representations, and promises.

JUDGE JONES

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about May 11, 2005, in the Southern District of New York, PEREZ withdrew approximately \$8,965.00 from her checking account with Bank of America.

b. On or about May 12, 2005, in the Southern District of New York, PEREZ withdrew approximately \$3,000.00 from her checking account with Bank of America.

c. On or about May 14, 2005, in the Southern District of New York, PEREZ withdrew approximately \$3,000.00 from her checking account with Bank of America.

d. On or about May 18, 2005, in the Southern District of New York, PEREZ withdrew approximately \$6,000.00 from her checking account with Bank of America.

e. On or about May 19, 2005, in the Southern District of New York, PEREZ withdrew approximately \$3,000.00 from her checking account with Bank of America.

f. On or about May 21, 2005, in the Southern District of New York, PEREZ withdrew approximately \$3,000.00 from her checking account with Bank of America.

g. On or about May 23, 2005, in the Southern District of New York, PEREZ withdrew approximately \$2,200.00 from her checking account with Bank of America.

(Title 18, United States Code, Section 1349.)

COUNT TWO

(Bank Fraud)

The Grand Jury further charges:

4. From in or about April 2005, up to and including in or about May 2005, in the Southern District of New York and elsewhere, JENNY PEREZ, the defendant, unlawfully, willfully, and knowingly, did execute and attempt to execute a scheme and artifice to defraud a financial institution, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and to obtain moneys, funds, credits, assets, and other property owned by, and under the custody and control of, such financial institution, by means of false and fraudulent pretenses, representations, and promises, to wit, PEREZ withdrew the proceeds of stolen United States Treasury checks, which were fraudulently endorsed and deposited into PEREZ's checking account with Bank of America.

(Title 18, United States Codes, Sections 1344 and 2.)

COUNT THREE

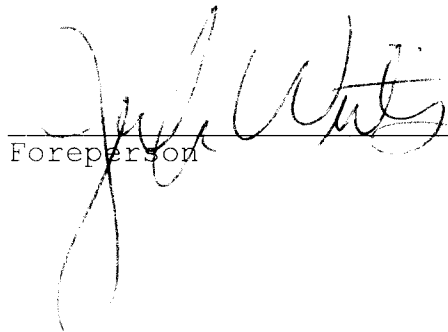
(Theft of Government Property)

The Grand Jury further charges:

5. From in or about April 2005, up to and including in or about May 2005, in the Southern District of New York and elsewhere, JENNY PEREZ, the defendant, unlawfully, willfully, and knowingly, did embezzle, steal, purloin, and convert to her own use and the use of another, and without authority, did sell, convey, and dispose of a thing of value exceeding \$1,000 of the

United States and a department and agency thereof, and did receive, conceal, and retain the same with intent to convert it to her own use and gain, knowing it to have been embezzled, stolen, purloined, and converted, to wit, PEREZ fraudulently permitted checks issued by the United States Treasury, to which she was not entitled, to be deposited into her bank account, and withdrew the proceeds of those checks.

(Title 18, United States Code, Sections 641 and 2.)


Foreperson


MICHAEL J. GARCIA

